

***UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS***

Criminal No. 04-10167-RCL

UNITED STATES OF AMERICA

v.

TIMOTHY HERLIHY

FINAL STATUS REPORT

February 9, 2005

BOWLER, U.S.M.J.

The following status of the above-entitled case is hereby reported to the district judge to whom this case is assigned, to wit:

1. The Superseding Indictment in the above-entitled case, which charges the defendant with conspiracy to possess with the intent to distribute and to distribute hydrocodone and possession with the intent to distribute and the distribution of hydrocodone, was returned on December 16, 2004;
2. The defendant was arraigned on the Superseding Indictment on January 11, 2005;

3. The defendant is not in custody on the charges;
4. At the time of arraignment, the attorney for the government estimated that the government would call approximately ten witnesses and that the trial would last approximately one week;
5. Counsel for defendant Ruiz has indicated that the case will be resolved by way of a plea of guilty;
6. As of the date of this Final Status Report, time has been excluded through February 8, 2005;
7. This case is hereby returned to the district judge to whom this case is assigned.

/s/ Marianne B. Bowler

MARIANNE B. BOWLER
United States Magistrate Judge